

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

ANTHONY BAILEY,

Petitioner,

v.

WARDEN BRIAN WILLIAMS, et al.,

Respondents.

Case No. 2:19-cv-01725-GMN-BNW

**ORDER**

Currently before the Court is Petitioner Anthony Bailey's Second Motion for Limited Extension of Copywork (ECF No. 22).

On January 23, 2020, the Court denied Bailey's first motion seeking permission to exceed the Nevada Department of Corrections' ("NDOC") \$100 copy credit limit because he did not specify the desired amount of increase or a specific reason that he needed copies. (ECF No. 9.) His second motion provides additional details to remedy those deficiencies.

On April 8, 2020, Chief United States District Judge Miranda M. Du signed an order making the electronic filing process mandatory at High Desert State Prison, the NDOC facility where Bailey is incarcerated. *See* Fourth Amended General Order No. 2012-01. The order was specifically intended to reduce the cost of processing filings from incarcerated people. Because Bailey's opposing party is counsel for Respondents—who has already appeared in this case and is a registered user of the Court's electronic filing system, Bailey will now make arrangements to scan, file, and serve opposing counsel electronically and then retain his original documents. Thus, he no longer needs to incur copy fees.

**IT IS THEREFORE ORDERED:**


1. Petitioner Anthony Bailey's Second Motion for Limited Extension of Copywork (ECF No. 22) is DENIED as moot.

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2. The Clerk of Court is directed to MAIL Bailey a copy of the Fourth Amended  
General Order No. 2012-01, dated April 8, 2020.

DATED: July 13, 2020

  
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GLORIA M. NAVARRO  
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

IN RE: ELECTRONIC SUBMISSION OF  
NDOC PRISONER DOCUMENTS

**FOURTH AMENDED GENERAL ORDER**  
**NO. 2012-01**

Since February 19, 2013, the United States District Court for the District of Nevada (“Court”), the Nevada Department of Corrections (“NDOC”), and the Office of the Attorney General of the State of Nevada have participated in an electronic filing project designed to reduce the cost of processing filings from incarcerated people in cases filed pursuant to 42 U.S.C. § 1983—under General Order No. 2012-01. This order makes that electronic filing process mandatory. The terms of the e-filing project are described below.

1. Electronic filing of filings by incarcerated people in civil rights cases was implemented at Northern Nevada Correctional Center (“NNCC”) in 2013, at Lovelock Correctional Center (“LCC”) in 2015, and on April 1, 2020 at both Ely State Prison (“ESP”) and High Desert State Prison (“HDSP”).
2. All filings by incarcerated people in NDOC’s custody in all federal cases before this Court, including civil rights and habeas corpus cases, must be filed electronically beginning no later than January 1, 2022, excluding filings from rural NDOC camps.
3. NDOC will be provided with free Public Access to Court Electronic Records (“PACER”) accounts for use by the law librarians who become registered users.

- 1           4.     NDOC will scan to PDF and transmit electronically to the Court all  
2           documents presented by incarcerated people for filing with the Court. The  
3           original documents will be returned to the incarcerated person. All  
4           documents submitted for filing by incarcerated people in NDOC facilities will  
5           be emailed to the Court in PDF format and in accordance with NDOC  
6           procedures therefor.
- 7           5.     The Court will receive and file the incarcerated peoples' documents  
8           electronically. After traditional service of the incarcerated person's  
9           complaint and appearance by an opposing party, electronic transmission of  
10          the filed document to opposing parties who are registered users of the  
11          Court's electronic filing system constitutes service of the hyperlinked  
12          document for purposes of Rule 5(b)(3) of the Federal Rules of Civil  
13          Procedure. The incarcerated person must mail a copy of their electronically  
14          filed documents to non-registered users.
- 15          6.     Each NDOC facility, excluding rural NDOC camps, will establish an email  
16          address for receipt of electronically-filed documents. NDOC staff will print  
17          the electronic transmission receipt, the hyperlinked order, and other  
18          documents filed by the Court. Receipt of copies of the receipt and  
19          hyperlinked documents by the incarcerated person constitutes service of  
20          the document on the incarcerated person. If the incarcerated person refuses  
21          delivery or is no longer at a particular NDOC facility, NDOC will indicate the  
22          reason for non-delivery on the transmission receipt and email it to the Court.
- 23          7.     Opposing parties who are registered users of the Court's electronic filing  
24          system will serve filings on NDOC prisoners through the Court's electronic  
25          filing system. NDOC staff will print and provide to incarcerated people both  
26          the electronic receipts and the hyperlinked documents filed by opposing  
27          parties.

1 The Court has evaluated the e-filing project and determines it should be continued  
2 permanently at all NDOC facilities, excluding rural NDOC camps. It is therefore ordered  
3 that the e-filing project—as outlined above—is now mandatory at NDOC facilities that  
4 have already implemented it, and will become mandatory at other NDOC facilities on the  
5 schedule stated above.

6 DATED THIS 8<sup>th</sup> day of April 2020.

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9 MIRANDA M. DU  
10 CHIEF JUDGE, UNITED STATES  
11 DISTRICT COURT FOR THE DISTRICT  
12 OF NEVADA  
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